

ASSOCIATED BUILDERS AND
CONTRACTORS, EASTERN
PENNSYLVANIA CHAPTER, INC., and
VELLNIECE CONSTRUCTION, LLC,

V.

Defendant.

b. The motion to dismiss Count III of the amended complaint is **DENIED**
AS MOOT; and

- c. The motion to strike scandalous allegations is **DENIED**;
2. Count III of the amended complaint is **DISMISSED WITHOUT PREJUDICE**;
- and
3. The clerk of court is **DIRECTED** to mark this case as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.